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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,328	06/25/2003	Geoffrey T. Dunbar	302124.01	2867
22971 7590 04/02/2008 MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052-6399				
EXAMINER BAYARD, DJENANE M				
ART UNIT 2141		PAPER NUMBER		
NOTIFICATION DATE 04/02/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/603,328

Applicant(s)

DUNBAR ET AL.

Examiner

DJENANE M. BAYARD

Art Unit

2141

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 28-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13, 28-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is in response to amendment filed on 2/14/08 in which claims 1-13 and 28-34 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 8 and 28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-7 and 28-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over 6,725,279 to Richter et al in view of U.S. Patent No. 6,957,430 to Fant et al and further in view of 2004/0199652 to Zou et al.

a. As per claims 1 and 28, Richter et al teaches a method of processing multimedia data, the method comprising: generating a topology of connections between one or more multimedia components in a topology generating element (See col. 3, lines 16-17, *for each multimedia task, application interface IA creates a subset of the multimedia processing blocks required to run said task*), the topology describing the one or more multimedia components, and the connections between them, including a set of input multimedia streams, one or more sources for the input multimedia streams, a sequence of operations to perform on the multimedia data, and a set of output multimedia streams (See col. 2, lines 37-49 and col. 3, lines 17-34); However, Richter et al fails to teach transmitting the topology to a media processor; implementing the topology by instantiating and setting up the one or more multimedia components as described by the topology, the implemented topology of one or more multimedia components operable to process the multimedia data; and passing the multimedia data according to the implemented topology, the passing governed by the media processor.

Fant et al teaches transmitting the topology to a media processor (See col. 4, lines 23-30); implementing the topology by instantiating and setting up the one or more multimedia components as described by the topology, the implemented topology of one or more multimedia components operable to process the multimedia data (See col. 2, lines 1-5, col. 4, lines 23-30,

col. 5, lines 21-33 and col. 6, lines 28-44); and passing the multimedia data according to the implemented topology, the passing governed by the media processor (See col. 6, lines 28-44).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Fant et al in the claimed invention of Richter et al in order to define multimedia functions each capable of monitoring the operation of a set of signal processing resources of the multimedia platform, putting them in contact and adapting the contents of said signal processing resource set depending on the multimedia signal to be processed (See col. 2, lines 1-5). However, Richter et al in view of Fant et al fails to teach determining that the one or more multimedia components support a desired data rate for processing the multimedia data.

Zou et al teaches A recipient client device designed for, or capable of, working with the MDDI or inventive signal protocol is able to be queried by the host to determine the maximum, or current maximum, data transfer rate it can use, or a default slower minimum rate may be used, as well as useable data types and features supported.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Zou et al in the claimed invention of Richter et al in view of Fant et al in order to determine the full capabilities of the client devices (See paragraph [0150]).

b. As per claims 2 and 29, Richter et al teaches the claimed invention as described above. Furthermore, Richter et al teaches performing the sequence of multimedia operations on the

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multimedia data to create the set of output multimedia streams (See col. 2, lines 37-49 and col. 3, lines 17-34).

c. As per claims 3, 9 and 30, Richter et al teaches the claimed invention as described above. Furthermore, Richter et al teaches wherein the multimedia components are software objects (See col. 2, lines 19-21).

d. As per claims 4, 10 and 31, Richter et al teaches the claimed invention as described above. Furthermore, Richter et al teaches wherein the topology generating element is a topology loader (See col. 2, lines 24-28).

e. As per claims 5, 11 and 32, Richter et al teaches the claimed invention as described above. Furthermore, Richter et al teaches wherein the topology generating element is an application program (See col. 2, lines 24-28).

f. As per claims 6, 12 and 33, Richter et al teaches the claimed invention as described above. Furthermore, Richter et al teaches wherein the media processor exposes the multimedia data to an application.

g. As per claims 7, 13 and 34, Richter et al teaches the claimed invention as described above. Furthermore, Richter et al teaches wherein the media processor accepts the multimedia data via being configured as a media sink.

5. Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over 6,725,279 to Richter et al in view of U.S. Patent No. 5,936,643 to Tindell et al and further in view of U.S. Patent Application No. 2004/0199,652 to Zou et al.

a. As per claim 8, Richter et al teaches a system for processing multimedia data, the system comprising: a control layer configured to receive instructions from an application, the control layer including: a topology generating element configured to generate a topology describing objects including a set of input multimedia streams, one or more sources for the input multimedia streams, a sequence of operations to perform on the multimedia data, and a set of output multimedia streams (See col. 2, lines 37-49 and col. 3, lines 17-34); a media processor configured to govern the passing of the multimedia data to the implemented topology as described in the topology and govern the performance of the sequence of multimedia operations on the multimedia data to create the set of output multimedia streams (See col. 2, lines 22-23 and col. 3, lines 1-4); a core layer coupled to the control layer, the core layer configured to include: the input media streams; the sources for the input multimedia streams; one or more transforms configured to operate on the multimedia data; one or more stream sinks coupled to the control layer; and one or more media sinks configured to provide the set of output multimedia streams (See col. 3, lines 16-50). However, Richter et al fails to teach wherein the topology describes objects and a topology implementing element operable to instantiate and set up the objects as described by the topology, thus forming and implemented topology, the implemented topology

comprised of instantiated objects and operable to process the multimedia data and configured to determine that the objects support desired data rate for processing the multimedia data.

Tindell et al teaches wherein the topology describes objects and a topology implementing element operable to instantiate and set up the objects as described by the topology, thus forming and implemented topology, the implemented topology comprised of instantiated objects and operable to process the multimedia data (See col. 9, lines 62-65, col. 10, lines 24-32).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Tindell et al in the claimed invention of Richter et al in order to connect, route and filter video (See col. 1, lines 46-48). However, Richter et al in view of Tindell et al fails to teach configured to determine that the objects support desired data rate for processing the multimedia data.

Zou et al teaches A recipient client device designed for, or capable of, working with the MDDI or inventive signal protocol is able to be queried by the host to determine the maximum, or current maximum, data transfer rate it can use, or a default slower minimum rate may be used, as well as useable data types and features supported.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Zou et al in the claimed invention of Richter et al in view of Fant et al in order to determine the full capabilities of the client devices (See paragraph [0150]).

b. As per claims 9-13, see claims 3-7 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DJENANE M. BAYARD whose telephone number is (571)272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Djenane Bayard

/D. M. B./
Examiner, Art Unit 2141
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2144